

*WARRIOR*

*PRIDE*



# The Limited Use Policy



# Objectives

- ▮ **Identify the objectives of the Limited Use Policy**
- ▮ **Identify what evidence is protected under this policy.**



# **Limited Use Policy Objectives**

- Facilitate the identification of alcohol and other drug abusers by encouraging identification through self-referral.**
- Facilitate the treatment and rehabilitation of those abusers who demonstrate the potential for rehabilitation and retention.**

**Reference: AR 600-85 paragraph 6-3, Army Substance Abuse Program (ASAP), dated 1 Oct 01.**



# Limited Use Policy

- ▮ **Prohibits the use by the government of protected evidence against a Soldier in:**
  - ▮ **Courts-martial**
  - ▮ **UCMJ**
  - ▮ **Unfavorable characterization of service.**
- ▮ **Self-referrals for Drug abuse**
  - ▮ **No separation actions required.**
  - ▮ **No UCMJ**

**Note: A Soldier can still be administratively discharged but will receive an Honorable Discharge.**



# Limited Use Policy

- **What is Protected Evidence?**
  - **Results of a command directed/competence or fitness for duty urine or alcohol test.**
  - **A rehabilitation test as part of the ASAP treatment plan.**
  - **Information about a Soldier's prior**
    - **Drug or alcohol abuse**
    - **Possession of drugs for personal use**



# **Protected Evidence**

**Information collected as a result of a Soldier's emergency medical care for an actual or possible alcohol or drug overdose about**

- Drug or alcohol abuse**
- Possession of drugs for personal use**
- Drug tests**

**Note: This does not include medical care resulting from apprehension of law enforcement or if the initial hospital admission was for other than alcohol or drug abuse.**





# Protected Evidence

- ▮ **Drug test results of a Soldier who self-refers, who is tested prior to the drug being eliminated from his body.**
  - ▮ **Example: A Soldier self refers on Monday after using cocaine on Sunday; the commander ordered a 100% test on Tuesday. The test result on the Soldier was positive because cocaine is detectable for up to 3 days in the body.**
  - ▮ **Example: If the same Soldier tested positive a week later then this evidence is NOT protected, because the Soldier must have used cocaine again.**





# Limited Use Policy

- ▢ **Limited Use Policy does not apply to the following evidence:**
  - ▢ **A positive test that results from law enforcement activities.**
  - ▢ **A positive urine rehabilitation test on a Soldier who is enrolled for alcohol abuse.**
  - ▢ **Information concerning drug or alcohol abuse or possession of drugs for personal use occurring AFTER a Soldier's self-referral.**
  - ▢ **A positive urine test on a Soldier conducted on a regular urinalysis after the Soldier is enrolled in ASAP.**



# Summary

- ▮ Limited Use Policy Objectives
- ▮ Protected Evidence
- ▮ Questions

**WARRIOR**

**P**ersonal **Courage:** Possess the Personal Courage not to use drugs or abuse alcohol and to notify the Chain of Command of Soldiers that do.

**R**espect: Show your Respect to the Army, your unit, fellow Soldiers, and yourself by staying drug free and drinking responsibly.

**I**ntegrity: Stay true to the Army Values and Warrior Ethos by supporting the Army's drug and alcohol policies.

**D**uty: Do your duty as a Soldier and stay mentally and physically tough by not using drugs or abusing alcohol.

**E**xcellence: Exhibit honorable behavior on and off duty - don't be a substance abuser!



# Need Information

- ▮ **List yourself and the ASAP telephone numbers and locations.**